

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

LAND ACQUISITION - West Godavari District - Yerrakalva Reservoir Project - Jangareddigudem Division - T.Narsapuram Mandal - Borrampalem Village - Land acquired under Award No:16/85, Dated 23.4.1985 - Enhancement of Land compensation by the Hon'ble High Court of Andhra Pradesh in A.S.S.R.No.75308/98 filed against O.P.No.26/86, dated 28.2.1998 - Decretal charges of Rs.1,11,064/- - Sanction - Orders - Issued.

IRRIGATION & CAD (PW.LA.I) DEPARTMENT

G.O.Rt.No: 788

Dated:14.10.2009

Read the following:

1. From the Dist Collector, West Godavari, Eluru,
Roc No:G3/5309/2007, Dated:14.9.2007.
2. From the Chief Commissioner of Land Administration,
A.P., Hyderabad Lr.No.G1/1308/2007, dt.15.10.2007.

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ORDER:

In the reference read above, it has been reported to Government that an extent of 2.76 cts of land situated at Borrampalem Village, T.Narsapuram (M), West Godavari District under Award No. 16/85, dt.23.4.85 was acquired by the then Land Acquisition Officer & Spl Tahsildar (LA), Unit No.IV, Jangareddygudem Mandal, West Godavari District for formation of Yerrakalva Reservoir Project, duly fixing the land value @ Rs.4,007/- per acre. Aggrieved landowners filed the claim in lower Court under Sec.18 of the Land Acquisition Act. Court of the Prl. Senior Judge, Eluru have enhanced the Market Value from Rs.4,007/- to Rs.22,000/- per acre in O.P No.26/86,dated. 28.02.1998.

2. Aggrieved by the Lower Court Orders, the Land Acquisition Officer preferred an Appeal in ASSR No.75308/98 praying the High Court to stay al further proceedings in E.P.No.186/98 including the execution of the decree passed in O.P.No.26/86, dated.28.2.1998 the court directed receiving the notice to deposit half of the decretal amount and costs with in 8 weeks. The Court has also permitted the respondents to withdraw the amount with out furnishing any security. Accordingly, an amount of Rs.1,07,285/- was deposited in the court through D.D.No.012835,dated. 15.3.2003 towards 50% of decretal amount as ordered by the High Court. The appeals filed before the Hon'ble High Court against OP have been dismissed confirming the Lower Court order for Rs.22,000/- per acre.

3. The Collector & District Magistrate, West Godavari, has requested the Government to sanction and release an amount of Rs.1,48,383/- in respect of O.P.No.26/86. The Chief Commissioner of Land Administration, A.P., Hyderabad, has forwarded the proposal of the District Collector, West Godavari District and recommended the Government to sanction the amount

4. Government after careful examination hereby accord sanction for an amount of **Rs.1,11,064/-** (Rupees One lakh Eleven thousand and Sixty Four only) in respect of O.P.No.26/86 towards entire /full decretal charges for depositing in the civil court to comply with the orders of reference Court in O.P.No.26/86,dt.28.2.1998; subject to verification whether the reference under section 18 of the LA Act is made to the lower court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued

(P.T.O)

by the Government/Chief Commissioner of Land Administration immediate action should be taken to recover the loss sustained by the Govt. from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer (Medium) as to the extent of land acquired. Further, the Collector should verify the calculations made by the LAO/RDO once again thoroughly with reference to the decree and instructions issued by the Government/Chief Commissioner of Land Administration on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower Court.

5. The expenditure sanctioned above shall be debited to the Head of Account under "4701 - Capital Outlay on Major & Medium Irrigation (03) Medium Irrigation - Commercial MH - 146 Yerrakalva Reservoir - Schemes included in the Plan - GH.11 - Normal State Plan - SH (26) D&A Works - 530/532 Lands (Charged)". In case, the available budget provisions is not sufficient to meet the present requirement, the expenditure may be met initially by way of advance from contingency fund to surrendering an equal amount from voted grant.

6. The District Collector, West Godavari shall follow the directions issued by the Hon'ble High Court on 30.4.2007 in W.P.No.2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants in respect of O.P.No.26/86, under Yerrakalva Reservoir Project Scheme for avoiding intervention of the middlemen

7. The Engineer - in- Chief (Medium), Hyderabad shall take necessary steps for release of LOC immediately.

8. This order issues with the concurrence of Finance (Expr. PW-I) Department vide their U.O. No:24952/955/Exp.pw-I/09, Dated:25.9.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHAILENDRA KUMAR JOSHI
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad.

The Collector, West Godavari District, Eluru

The Engineer - in- Chief (Medium), Hyderabad,.

Copy to:

The Accountant General, Andhra Pradesh, Hyderabad.

The Pay & Accounts Officer, West Godavari Eluru.

The Superintending Engineer, Irrigation Circle, Eluru.

The District Treasury Officer, West Godavari Eluru.

The Revenue Divisional Officer, Jangareddigudem, West Godavari District.

The Finance (Expr.PW-I) Department

File C.No.30323-A/L.A.I(A1)/2007

SF/SCs

//FORWARDED :: BY ORDER//

SECTION OFFICER